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In re Patent No. 7,088,731  
Issue Date: August 8, 2006  
Application No. 09/872,289  
Filed: June 1, 2001  
Patentee(s): Ofer Iny

**NOTICE**


This is a notice regarding a request for acceptance of a fee deficiency submission under 37 CFR 1.28 filed on January 24, 2007. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**. Therefore, status as a small entity has been removed and all future fees paid must be paid at the large entity rate.

The Office acknowledges receipt of a Power of Attorney and Change of Correspondence Address filed on January 3, 2007. However, a change of correspondence address will not affect the fee address. Therefore, petitioner will not receive future correspondence, which **may** be mailed, regarding maintenance fees for the above patent, unless a "Fee Address Indication" and/or "Request for Customer Number" form is submitted. See USPTO Forms PTO/SB/47 and PTO/SB/125.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3226.

  
Andrea Smith  
Petitions Examiner  
Office of Petitions